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PATENT COOPERATION TREATY

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INTERNATIONAL PRELIMINARY REPORT ON PCT<sup>8</sup>  
(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

PCT Application  
PCT/CN2003/000309



Applicant's or agent's file reference  031391 PCWO	FOR FURTHER ACTION	See FORMS OF THE TREATY
International application No.  PCT/CN03/00309	International filing date (day/month/year)  28 APR. 2003(28.04.2003)	Priority date (day/month/year)  10.DEC.2002(10.12.2002)
International Patent Classification (IPC) or national classification and IPC  IPC(7):A61K35/78, A61P9/00,25/28,35/00		
Applicant  ZHEJIANG UNIVERSITY(HANGZHOU) LEAF BIO-TECHNOLOGY CO., LTD. etc		
<p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of 3 sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p>a. <input type="checkbox"/> (<i>sent to the applicant and to the International Bureau</i>) a total of _____ sheets, as follows:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).</li> <li><input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.</li> </ul> <p>b. <input type="checkbox"/> (<i>sent to the International Bureau only</i>) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in electronic form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</p> <p>4. This report contains indications relating to the following items:</p> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Box No. I Basis of the report</li> <li><input type="checkbox"/> Box No. II Priority</li> <li><input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</li> <li><input type="checkbox"/> Box No. IV Lack of unity of invention</li> <li><input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</li> <li><input type="checkbox"/> Box No. VI Certain documents cited</li> <li><input type="checkbox"/> Box No. VII Certain defects in the international application</li> <li><input type="checkbox"/> Box No. VIII Certain observations on the international application</li> </ul>		

Date of submission of the demand  19 SPE. 2003(19.09.2003)	Date of completion of this report  04 APR. 2005(04.04.2005)
Name and mailing address of the IPEA/CN  The state Intellectual Property Office, the P.R.China 6 Xitucheng Rd., Jimen Bridge, Haidian District, Beijing, China Facsimile No. 86-10-62019451	Authorized officer  Yue Xuelian Telephone No. 86-10-62085266

## Box No. I Basis of the report

1. With regard to the language, this report is based on:
  - the international application in the language in which it was filed
  - a translation of the international application into \_\_\_\_\_, which is the language of a translation furnished for the purposes of:
    - international search (Rules 12.3(a) and 23.1(b))
    - publication of the international application (Rule 12.4(a))
    - international preliminary examination (Rules 55.2(a) and/or 55.3(a))
  
2. With regard to the elements of the international application, this report is based on (*replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report*):
  - the international application as originally filed/furnished
  - the description:
 

pages	_____	as originally filed/furnished
pages	_____	received by this Authority on _____
pages	_____	received by this Authority on _____
  - the claims:
 

pages	_____	as originally filed/furnished
pages	_____	as amended (together with any statement)under Article 19
pages	_____	received by this Authority on _____
pages	_____	received by this Authority on _____
  - the drawings:
 

pages	_____	as originally filed/furnished
pages	_____	received by this Authority on _____
pages	_____	received by this Authority on _____
  - a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing.
  
3.  The amendments have resulted in the cancellation of:
  - the description, pages \_\_\_\_\_
  - the claims, Nos. \_\_\_\_\_
  - the drawings, sheets/figs \_\_\_\_\_
  - the sequence listing (*specify*): \_\_\_\_\_
  - any table(s) related to sequence listing (*specify*): \_\_\_\_\_
  
4.  This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
  - the description, pages \_\_\_\_\_
  - the claims, Nos. \_\_\_\_\_
  - the drawings, sheets/figs \_\_\_\_\_
  - the sequence listing (*specify*): \_\_\_\_\_
  - any table(s) related to sequence listing (*specify*): \_\_\_\_\_

\* If item 4 applies, some or all of those sheets may be marked "superseded."

## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.  
PCT/CN03/00309**Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement****1. Statement:**

Novelty (N)      Claims 1-10      YES

Claims \_\_\_\_\_ NO

Inventive step (IS)      Claims 1-10      YES

Claims \_\_\_\_\_ NO

Industrial applicability (IA)      Claims 1-10      YES

Claims \_\_\_\_\_ NO

**2. Citations and explanations (Rule 70.7)**

No document cited in the international search report has disclosed technical solutions which are the same as or similar to those of claims 1-10 or suggestion to them. Therefore, claims 1-10 are novel and inventive. They meet the criteria set out in PCT Article 33(2) and Article 33(3).

The technical solutions of claims 1-10 would be applicable in medicinal industry. Thus they meet the criteria set out in PCT Article 33(4).